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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ZOHO CORPORATION PVT LTD.

Plaintiff,

v.

FRESHWORKS, INC.

Defendant.

Case No: 3:20-cv-01869-VC

**JOINT CASE MANAGEMENT  
STATEMENT**

Date: September 8, 2020  
Time: 1:00 pm  
Location: Ctrm. 4, 17<sup>th</sup> Floor

Date filed: March 17, 2020  
Trial Date: TBD

1 The parties to the above-titled action, Plaintiff Zoho Corporation Pvt. Ltd. (“Zoho”) and  
2 Defendant Freshworks Inc. (“Freshworks”), jointly submit this Subsequent Case Management  
3 Statement in advance of the upcoming September 8, 2020 Case Management Conference. The parties  
4 have previously submitted a full Joint Case Management Statement, *see* Dkt. 26, and hereby  
5 incorporate that statement by reference herein. Pursuant to Local Rule 16-10(d), the parties will focus  
6 this statement only on “progress or changes since the last statement was filed” and “proposals for the  
7 remainder of the case development process.”

8 **1. Motions**

9 On August 20, 2020, the Court heard oral argument on Defendant Freshworks’ Motion to  
10 Dismiss Plaintiff Zoho’s First Amended Complaint. During the hearing, Zoho requested leave to file  
11 a second amended complaint, which the Court granted. Zoho’s Second Amended Complaint will be  
12 filed on or before September 3, 2020. Freshworks will file a response on or before September 17,  
13 2020, and reserves the right to file a further motion to dismiss if the Second Amended Complaint  
14 does not cure the defects addressed in Freshworks’ prior motion to dismiss. In addition, Zoho has not  
15 yet served a trade-secret list consistent with California Code of Civil Procedure section 2019.210. If  
16 Zoho will not do so, or if such trade-secret list fails to articulate Zoho’s trade secrets with requisite  
17 specificity, Freshworks may file an additional motion.

18 **2. Amendment of Pleadings**

19 Plaintiff Zoho’s deadline to amend its complaint is September 3, 2020, and Defendant  
20 Freshworks’ deadline to answer or otherwise respond to Zoho’s second amended complaint is  
21 September 17. Dkt. 35.

22 **3. Settlement and ADR**

23 On August 25, 2020, the parties filed a joint report regarding ADR, which is incorporated  
24 herein by reference. Dkt. 36. The parties will be prepared to discuss ADR issues at the Case  
25 Management Conference.  
26  
27  
28

#### 4. Scheduling

##### Zoho's Position

The schedule proposed by Zoho accommodates the time needed to conduct the necessary international discovery during a pandemic. This schedule assumes discovery will commence as of the date of the September 8<sup>th</sup> case management conference. To the extent Freshworks seeks to postpone commencing discovery with motion practice regarding the sufficiency of a trade secret designation, further adjustments to the schedule may be needed.

##### Freshworks' Position

As explained above, the Court has granted Zoho leave to amend its complaint and set an amendment deadline of September 3, 2020, which falls after the parties' deadline to submit their joint Case Management Statement. Freshworks proposes a case schedule below under the assumption that Zoho's Second Amended Complaint will state a claim for relief, but reserves the right to move to dismiss, and to propose an amended case schedule accounting for such motion practice, if the Second Amended Complaint does not meet the Rule 8 standard.

Events	Zoho's Proposed Deadline	Freshworks' Proposed Deadline
Last Day to Amend Pleadings	November 15, 2020	September 3, 2020
Completion of Private Mediation	February 26, 2021	October 2, 2020
Further Case Management Conference	April 2, 2021	January 15, 2021
Close of Fact Discovery	June 4, 2021	April 9, 2021
Opening Expert Reports	July 1, 2021	May 7, 2021
Responsive Expert Reports	August 2, 2021	June 4, 2021
Close of Expert Discovery	September 1, 2021	July 2, 2021
Deadline to File Dispositive Motions	September 30, 2021	July 30, 2021
Fed. R. Civ. P. 26(a)(3) Disclosures	60 days before trial	60 days before trial
Motions <i>in Limine</i> and <i>Daubert</i> motions	60 days before trial	60 days before trial
Oppositions to Motion <i>in Limine</i> and <i>Daubert</i> motions	45 days before trial	45 days before trial
Replies in support of Motions <i>in Limine</i> and <i>Daubert</i> motions	30 days before trial	30 days before trial
Joint Pre-Trial Order	14 days before trial	14 days before trial
Objections to Fed. R. Civ. P.	14 days before trial	14 days before trial

26(a)(3) Disclosures		
Final Pretrial Conference	7 days before trial	7 days before trial
Trial	January __, 2022 (~17 months from September 8, 2020)	November 1, 2021 (~16 months from July 1, 2020)

Dated: September 1, 2020

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By: /s/ Ryan J. Marton

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Dated: September 1, 2020

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**ATTESTATION IN CONCURRENCE OF FILING**

Per Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document was obtained from counsel for Zoho Corporation Pvt. Ltd on September 1, 2020.

Dated: September 1, 2020

/s/ Sarah Salomon

Sarah Salomon